

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

TRACY MARSHALL, on behalf of  
D.S., a minor,

Plaintiff,

vs.

MICHAEL J. ASTRUE,  
Commissioner of the Social  
Security Administration,

Defendant.

:

:

:

:

:

:

Case No. 3:07cv00372

District Judge Thomas M. Rose

Magistrate Judge Sharon L. Ovington

---

---

**DECISION AND ENTRY**

---

---

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #18), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations.

Accordingly, it is hereby **ORDERED** that:

1. The Report and Recommendations filed on January 15, 2009 (Doc. #18) is ADOPTED in full;
2. The Commissioner's final Decision that D.S.'s disability ceased as of March 1, 2004 be AFFIRMED; and
3. The case is terminated on the docket of this Court.

February 3, 2009

**\*S/THOMAS M. ROSE**

---

Thomas M. Rose  
United States District Judge